

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Abdirizak S.,

Civil No. 18-3222 (DWF/HB)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Secretary Homeland Security;
William P. Barr, Attorney General¹;
Peter Berg, ICE Field Office Director;
and Kurt Freitag, Freeborn County Sheriff,

Respondents.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Hildy Bowbeer dated February 12, 2019. (Doc. No. 10.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Hildy Bowbeer's February 12, 2019 Report and Recommendation (Doc. No. [10]) is **ADOPTED**.

¹ William P. Barr is substituted for Matthew Whitaker pursuant to Federal Rule of Civil Procedure 25(d).

2. The Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 (Doc. No. [1]) is **DISMISSED FOR LACK OF JURISDICTION in part, DENIED AS MOOT in part**, and **DENIED WITHOUT PREJUDICE in part**, as set forth fully in the Report and Recommendation.

3. Petitioner's Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. No. [3]) is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 1, 2019

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge